

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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5 DAVID GONZALEZ,

6 Plaintiff,

7 vs.

8 CLARK COUNTY, ex rel- The Clark County
9 Sheriff's Office, Sgt. Aspiazu, 7117, CO Hood,
#9902,

10 Defendant.
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2:17-cv-00607-JAD-VCF

ORDER

12 Before the Court is the Defendants' Motion for Leave to Take the Deposition of David Gonzalez,
13 an Incarcerated Person (ECF No. 21), filed on July 7, 2017.

14 Defendants request leave to take Plaintiff's deposition, who is currently incarcerated at the High
15 Desert State Prison located in Indian Springs, Nevada, pursuant to Rule 30(a)(2)(B) of the Federal Rules
16 of Civil Procedure. Rule 30(a)(2) requires a party to seek leave of court to depose an incarcerated
17 individual. The Court finds that Defendants have established good cause to grant its motion.

18 To date, no opposition has been filed and the time to file an opposition has passed. Under LR 7-
19 2(d), the failure of an opposing party to file points and authorities in response to any motion, except a
20 motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to the granting of
21 the motion. Here, it would seem that Plaintiff has consented to the granting of the instant motion.

22 Accordingly,

23 IT IS HEREBY ORDERED that Defendants' Motion for Leave to Take Deposition of an

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1 Incarcerated Person (ECF No. 21) is GRANTED.

2 DATED this 3rd day of August, 2017.

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4 CAM FERENBACH
5 UNITED STATES MAGISTRATE JUDGE
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